

### REMARKS

The present Amendment amends claims 31 and 33. Upon entry of this Amendment, claims 1-5, 7-14, and 20-34 will be pending. Accordingly, the application presents twenty-eight (28) claims, of which five (5) are in independent form (claims 1, 7, 11, 20, and 31). As such, Applicant expects no fees to be due upon filing this Amendment; however, for any fees which are deemed necessary following submittal of this Amendment, the undersigned hereby authorizes such fees to be charged to our deposit account, Deposit Account No. 061910.

In the Office Action, Examiner rejected claims 31-34 under 35 U.S.C. 102(b) as being unpatentable over Sugawara et al. (US Patent No. 5,829,219). With respect to claims 31-34, Examiner states that the Sugawara reference discloses a vehicle roof frame comprising side frame members (12) and cross members (14). Examiner additionally states that the side frame members (12) of the Sugawara reference have protrusions (15) that have an upper portion with a corrugated configuration. Examiner also states the end section of the cross members (14) and the upper portion of the protrusions (15) of the Sugawara reference have matching shapes that align. Examiner further states that the cross members and the protrusions of the Sugawara reference are welded together and contends that the bead of the weld is considered a releasable fastener because it can be broken to release the connection between the two components.

Applicant's invention teaches the cross members and the protrusions to be secured together via fasteners. Conversely, the cross members and the protrusions of the Sugawara reference are welded together. One reason behind the Applicant's invention being favorable over other overhead framing systems is the flexibility in the assembly of the system. As such, as supported by the Applicant's disclosure, the fasteners used in the system of the invention are

taught by Applicant to not include welds. For example, in Applicant's disclosure on page 12, lines 10-16, Applicant teaches that "[i]n one embodiment..., the structure 12 is generally limited to four members, the two side frame members 24, 26 and the two cross members 28, 30. As such, the assembly or disassembly of the structure 12 is relatively simple and straight-forward. *Further, the members are assembled together using fasteners 40, e.g., bolts, which can be manipulated, i.e., removed or replaced, with common tools. Finally, assembly of the structure 12 requires no welding between the members. As such, the structure 12 can be assembled and disassembled a number of different times if necessary.*"

By welding the members of the system together as taught in the Sugawara reference, such assembly flexibility is generally disregarded, as a new weld must be made any time the members are assembled following prior disassembly. As one skilled in the art would recognize, breaking the welds to disassemble the members and subsequently providing new welds to reassemble the members together requires much more time than simply removing or replacing fasteners. Additionally, any such new welds would be provided in about the same areas on the contacting portions of the members. Those skilled in the art would appreciate that such welding and re-welding in the same areas has the potential to compromise the overall strength of the connection made between the members. These limitations are avoided by the fasteners not including welds as stated in the Applicant's disclosure. As such, the Sugawara reference generally teaches away from the Applicant's invention.

For the above reasons, Applicant respectfully traverse Examiner's rejections with respect to claims 31-34. By this Amendment, Applicant has amended the portion of claim 31 reading "securing said cross member end portions to said protrusions" to now read "securing said cross

member end portions to said protrusions with releasable fasteners". In addition, claim 33 has been amended to reference the fasteners of amended claim 31. Therefore, Applicants assert that claim 31 is in condition for allowance. As such, the allowance of claim 31 as shown and described above thereby renders claims 32-34 also allowable.

Applicant believes that no new matter is introduced by entry of any of the above amendments and that the amendments are fully supported by the specification and application as a whole. Applicant reserves the right to prosecute the originally filed claims in a continuation application.

In light of the above, Applicant submits that the present rejection should be withdrawn and prompt allowance of this application is respectfully requested. If the Examiner feels that prosecution of the present application can be materially advanced by a telephonic interview, the undersigned would welcome a call at the number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. S. Parzych", with a stylized, cursive script.

John S. Parzych  
Registration No. 52,097

Customer No. 22859  
Fredrikson & Byron, P.A.  
200 South Sixth Street, Suite 4000  
Minneapolis, MN 55402-1425 USA  
Telephone: (612) 492-7279  
Facsimile: (612) 492-7077

*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 06-1910.*

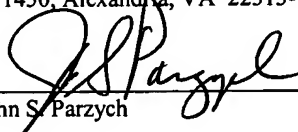
CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service as First Class Mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on

Date of Deposit

10/5/05

John S. Parzych



#3175262\1